IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.3038 OF 2006

Suhas S. Pethe ...Petitioner

Vs.

State of Maharashtara & Ors..Respondents

Mr. Deepak Chitnis i/b. Deepak Chitnis, Chiparikar & Co., for the Petitioner
Mr. K.R. Belosey, Govt. Pleader for Respondent Nos. 1, 3 and4.
Mrs. A.K. Savla, for respodnent No.2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 15TH DECEMBER, 2006

P.C.

. Rule. Heard forthwith. The petitioner has approached this Court against the order dated 28th August, 2006 rejecting the proposal for development and D.C. Regulation 33(7) on the ground it cannot be considered till the matter pending before the Supreme Court is decided.

2. The Honourable Supreme Court in the matter of D.C. Regulation 37 and S.L.P. which is pending before it had remitted the matter to this Court to record a finding as to the validity of D.C. Regulation 33(7). The respondents in that case have approached the Supreme Court against the judgment of this Court which had constituted Committees. That direction was stayed and the order was passed

remitting the matter for recording a finding. The learned Bench of this Court has on hearing the matter upheld the validity of D.C. Regulation 33(7).

3. Considering the above, in our opinion,the respondent Nos. 3 and 4 to consider the case of the petitioner in the light of the stay order granted by the Supreme Court and the judgment of the Division Bench of this Court as expeditiously as possible.

. With the above direction Rule made absolute with no order as to costs.

(**F.I. REBELLO, J)**

(**ANOOP V. MOHTA J).**